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EXAMINER

NGUYEN, KEVIN M

ART UNIT

PAPER NUMBER

2674

DATE MAILED: 10/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/280,541

Applicant(s)

HO, JAE-ICK

Examiner

Kevin M. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5 and 17 is/are allowed.
- 6) ☒ Claim(s) 1-4,6,10-16 and 18 is/are rejected.
- 7) ☒ Claim(s) 7-9 and 19-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The amendment filed on 8/8/2002 is entered. The rejections of claims 1-4, 6, 10-16 and 18 are maintained.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1, 3, 12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoddard et al (US 3,665,454) in view of Metlitsky et al (US 5,545,886).**

As to claims 1 and 12, Stoddard et al teaches an apparatus and a method which include an input device 12 inputting a display data channel D1, D2, a computer 10 controls the input device 12 with a predetermined electrical signal via the data bus (a driving device driving the inputting device with a predetermined electric signal as claimed, see figure 1). The updating data is coupled via an interface unit 11 to computer 10 where it is processed according to the stored program to update the instruction set (an interfacing section indicating whether the display data channel of the monitor is inputted into the computer and outputting the same voltage signal as an initial signal, the outputted voltage signal is switched a different time according to a result of inputting the display data channel as claimed, see col. 2, lines 71-73). Therefore, Stoddard et al teaches all of the claimed limitation of claim 1, except for "determining whether or not

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the result of inputting the display data channel is correct." However, Metlitsky et al teaches a microprocessor 20 detecting a correction data signal³⁴ on line 17; if the code is valid reading is possible, if not then a false reading is at least avoided and another shot by the user (figure 1 and 3, col. 5, lines 2-8). It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the barcode scanner taught by Metlitsky et al for the computer of Stoddard et al's system because the computer 10 communicating with various input device (see col. 2, lines 40-41 of Stoddard et al).

As to claims 3 and 14, Metlitsky et al teaches a handheld scanner 35 (figure 5).

4. Claims 4 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoddard et al in view of Metlitsky et al as applied to claim 1 above, and further in view of Cruickshank et al (US 5,109,503).

As to claims 4 and 15, Stoddard et al and Metlitsky et al teach all of the claimed limitations of claim 1, except for the controller for the controlling and determining includes a programmable logic controller. However, Cruickshank et al teaches a programmable logic controller (PLC) 37 and input device 35 which combine into a personal computer (figure 2, col. 4, lines 58-60). It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate additional PLC 75 taught by Cruickshank et al for the computer of Stoddard et al's and Metlitsky et al's system because PLC 37 and input device 35 might take the form of various operator interface devices for simply inputting user parameters and counter configuration selection (col. 4, lines 63-66 of Cruickshank et al).

5. Claims 2, 6, 13 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoddard et al in view of Metlitsky et al as applied to claims 1 and 12 above, and further in view of Keiji (US 5,115,227).

As to claims 2, 6, 13 and 18, Stoddard et al and Metlitsky et al teach all of the claimed limitation of claims 1 and 12, except for a switch to select one of the mouse and the scanner. However, Keiji teaches the switch 43 to select one of the mouse 48 and the scanner 49 (see fig. 5). It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the additional computer mouse taught by Keiji in the apparatus of Stoddard et al's and Metlitsky et al's system because this would allow a user to utilize the mouse to control a cursor to select a cursor faster.

6. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoddard et al in view of Metlitsky et al, and further in view of Kelly (US 5,065,360).

As to claims 10 and 11, Stoddard et al and Metlitsky et al teach an apparatus and a method which include an input device 12 inputting a display data channel D1, D2, a computer 10 controls the input device 12 with a predetermined electrical signal via the data bus (a driving device driving the inputting device with a predetermined electric signal as claimed, see figure 1). The updating data is coupled via an interface unit 11 to computer 10 where it is processed according to the stored program to update the instruction set (an interfacing section indicating whether the display data channel of the monitor is inputted into the computer and outputting the same voltage signal as an initial signal, the outputted voltage signal is switched a different time according to a result of

inputting the display data channel as claimed, see col. 2, lines 71-73). Stoddard et al fails to teach "determining whether or not the result of inputting the display data channel is correct." However, Metlitsky et al teaches a microprocessor 20 detecting a correction data signal³⁴ on line 17; if the code is valid reading is possible, if not then a false reading is at least avoided and another shot by the user (figure 1 and 3, col. 5, lines 2-8). It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the barcode scanner taught by Metlitsky et al for the computer of Stoddard et al's system because the computer 10 communicating with various input device (see col. 2, lines 40-41 of Stoddard et al).

Therefore, Stoddard et al and Metlitsky et al teach all of the claimed limitations of claim 10, except for a relay switch connecting in parallel to a contact point for inputting the display data channel of the inputting device. However, Kelly teaches a relay switches 70 and 72 connecting in parallel to a data wire for inputting and outputting to destination computer (see figure 7A and 7B). It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the additional relay switches 70 and 72 taught by Kelly for contacting the input device of Stoddard et al's and Metlitsky et al's system because this would provide complete isolation of elements 28-38 from any transient voltage conditions when the elements are bypassed as shown in Fig. 7B (col. 11, lines 12-14 of Kelly).

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

8. Claims 1 and 12 are rejected under 35 U.S.C. 102(e) as being unpatentable over Bunte et al (US 6,034,379).

As to claims 1 and 12, Bunte et al teaches an apparatus and a method which include a barcode reader 1815 (see figure 19a) inputting a display data into the display 1883 via a display driver 1885, a control and driver circuit 1853 driving the barcode reader 1815 (a driving device as claimed), the printed circuit board 1812 has a microprocessor 1873 operating as a central processing unit (CPU) for the code reader (an interface circuit as claimed, see figure 18B, col. 24, lines 48-50), the control element 1811 controls a barcode reader. If the use of that illuminator fails to yield a valid read, the code reader selects a second of the available illuminators and reattempts the read. Again, upon failure to obtain a valid read, the coder reader selects yet another illuminator options have been exhausted (see abstract).

9. Claims 2, 6, 13 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bunte et al in view of Keiji.

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As to claims 2, 6, 13 and 18, Bunte et al teaches all of the claimed limitation of claims 1 and 12, except for a switch to select one of the mouse and the scanner. However, Keiji teaches the switch 43 to select one of the mouse 48 and the scanner 49 (see fig. 5). It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the additional computer mouse taught by Keiji in the apparatus of Bunte et al's system because this would allow a user to utilize the mouse to control a cursor to select a cursor faster.

10. Claims 4 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bunte et al in view of Cruickshank et al.

As to claims 4 and 15, Bunte et al teach all of the claimed limitations of claims 1 and 12, except for the controller for the controlling and determining includes a programmable logic controller. However, Cruickshank et al teaches a programmable logic controller (PLC) 37 and input device 35 which combine into a personal computer (figure 2, col. 4, lines 58-60). It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate additional PLC 75 taught by Cruickshank et al for the computer of Bunte et al's system because PLC 37 and input device 35 might take the form of various operator interface devices for simply inputting user parameters and counter configuration selection (col. 4, lines 63-66 of Cruickshank et al).

11. Claims 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bunte et al in view of Cruickshank et al as applied to claims 15 and 12 above, and further in view of Kelly.

As to claim 16, Bunte et al and Cruiskshank et al teach all of the claimed limitations of claims 15 and 12, except for a relay coil of a driving device and turns-on a relay switch of a driving device to input a display data channel to a monitor. However, Kelly teaches a relay switches 70 and 72 connecting in parallel to a data wire for inputting and outputting to destination computer (see figure 7A and 7B). It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the additional relay switches 70 and 72 taught by Kelly for contacting the input device of Bunte et al's and Cruiskshank et al's system because this would provide complete isolation of elements 28-38 from any transient voltage conditions when the elements are bypassed as shown in Fig. 7B (col. 11, lines 12-14 of Kelly).

12. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bunte et al in view of Kelly.

As to claims 10 and 11, Bunte et al teach an apparatus and a method which include a barcode reader 1815 (see figure 19a) inputting a display data into the display 1883 via a display driver 1885, a control and driver circuit 1853 driving the barcode reader 1815 (a driving device as claimed), the printed circuit board 1812 has a microprocessor 1873 operating as a central processing unit (CPU) for the code reader (an interface circuit as claimed, see figure 18B, col. 24, lines 48-50), the control element 1811 controls a barcode reader. If the use of that illuminator fails to yield a valid read, the code reader selects a second of the available illuminators and reattempts the read. Again, upon failure to obtain a valid read, the coder reader selects yet another illuminator options have been exhausted (see abstract).

Therefore, Bunte et al teaches all of the claimed limitations of claim 10, except for a relay switch connecting in parallel to a contact point for inputting the display data channel of the inputting device. However, Kelly teaches a relay switches 70 and 72 connecting in parallel to a data wire for inputting and outputting to destination computer (see figure 7A and 7B). It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the additional relay switches 70 and 72 taught by Kelly for contacting the input device of Bunte et al's system because this would provide complete isolation of elements 28-38 from any transient voltage conditions when the elements are bypassed as shown in Fig. 7B (col. 11, lines 12-14 of Kelly).

13. Claims 7-9, 19 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims

14. Claims 5 and 17 are allowed.

Response to Arguments

15. Applicant's arguments filed 1/18/2002 have been fully considered but they are not persuasive.

Claim Rejection under 35 USC 102.

In response to applicant's argument that claims 1 and 12 recite "an inputting device inputting a display data channel of a monitor into a computer." This argument is not persuasive because Bunte's invention does anticipate a barcode reader 1815 (see figure 19a) inputting a display data into the display 1883 via a display driver 1885. The

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tablet based coder reader of figure 24b shares both the microprocessor 2503 and DSP 2505 on the mother board 2507 for many purposes such as video possessing (inherently inputting a display data channel monitor as claimed, col. 33, lines 33-38). A control and driver circuit 1853 drives the barcode reader 1815 (a driving device as claimed), the printed circuit board 1812 has a microprocessor 1873 operating as a central processing unit (CPU) for the code reader (an interface circuit as claimed, see figure 18B, col. 24, lines 48-50), the control element 1811 controls a barcode reader. If the use of that illuminator fails to yield a valid read, the code reader selects a second of the available illuminators and reattempts the read. Again, upon failure to obtain a valid read, the coder reader selects yet another illuminator options have been exhausted (see abstract).

Claim Rejection under 35 USC 103.

In response to applicant's argument that Stoddard et al and Metlitsky et al are nonanalogous arts, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). Examiner disagrees since Stoddard et al teach the invention concern a variable rate display generator that interface via computer 10 and various input device 12 (col. 2, lines 38-40). Metlitsky et al teach a barcode scanner. Accordingly, one skilled in the art would recognize the two references are analogous art.

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In response to applicant's argument that claims 1 and 12 recite "an inputting device inputting a display data channel of a monitor into a computer." This argument is not persuasive because Stoddard et al's invention teaches "a variable rate display generator that interface via computer 10 and various input device 12 (col. 2, lines 38-40)." These arguments are not persuasive because one skill in the art to recognize clearly the data signal of input device 12 is from various input device of Stoddard teaching (referring to a barcode scanner of Metlitsky relying a display data channel of a monitor) obviates a display data signals that are being provided to computer 10.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., testing of monitor as the display data channel is analyzed) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In response to applicant's argument that claims 1 and 12 recite "the outputting voltage signal is switched at a different time according to a result of inputting the display data channel." This argument is not persuasive because Stoddard et al's invention teaches the writing rate Δt is changed for this particular character. The slopes of the analog ramps change, but the voltage change ΔV do not change. Character trace is changed in set-up time (an initial signal) at the same pulse amplitude (the same voltage signal) at a different time T3, T4, T5 and T6 (see figure 3, col. 60-64).

Claims 3 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoddard et al in view of Metlitsky et al.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, since Stoddard et al teach the computer 10 communicating with various input device (see col. 2, lines 40-41). Therefore, It would have been obvious to a person of ordinary skill in the art at the time of the invention to utilize the barcode scanner taught by Metlitsky et al in Stoddard et al's computer system because the scan rate can be faster increase the precise of the decode minimize the effect of noise or defects (col. 11, line 23, line 28, line 45-46 of Metlitsky et al).

Claims 4 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoddard et al in view of Metlitsky et al as applied to claim 1 above, and further in view of Cruiskshank et al.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the

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references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

In response to applicant's argument that Cruickshank is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, since Cruickshank et al teach input device 35 might be used with various host computer or be used with various operator interface devices (col. 3, lines 4-7). Therefore, It would have been obvious to a person of ordinary skill in the art at the time of the invention to utilize the PCL 37 and various interface device taught by Cruickshank et al in Stoddard et al's and Metlitsky et al's computer system because PCL would be programmably reconfigured to one of several different hardware counter configurations (col. 1, line 67 through col. 2, line 2 of Cruickshank et al).

Claims 2, 6, 13 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoddard et al in view of Metlitsky et al as applied to claims 1 and 12 above, and further in view of Keiji.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the

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references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, since Stoddard et al teach the computer 10 communicating with various input device (see col. 2, lines 40-41). Metlitsky et al teach a barcode scanner. Keiji teaches an input device possessing the functions of both mouse and image scanner (col. 1, lines 41-43), and further comprises a switch to select one of the mouse and the scanner (col. 4, lines 22-28). Therefore, It would have been obvious to a person of ordinary skill in the art at the time of the invention to utilize the function of both mouse and image scanner taught by Keiji in Stoddard et al's and Metlitsky et al's computer system because this would provide capable of feeding information in plural manners, at least two or more functions can be arbitrarily selected, so that the input device can be utilize very advantageously (col. 1, lines 35-35 and col. 2, lines 6-8 of Keiji).

Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stoddard et al in view of Metlitsky et al, and further in view of Kelly.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, since Stoddard

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et al teach the computer 10 communicating with various input device (see col. 2, lines 40-41). Metlitsky et al teach a barcode scanner. Kelly teaches a relay switches 70 and 72 connecting in parallel to a data wire for inputting and outputting to destination computer (see figure 7A and 7B); the input interface 26 may be a universal synchronous/ asynchronous receiver/transmitter (col. 17, lines 32-34); the input device 22 signals representing well known communication control characters to control data flow and to verify data accuracy (col. 17, lines 55-60); the program controls the processor to activate message being displayed on a CRT, LCD (a display data channel as claimed, col. 9, lines 20-23). Therefore, It would have been obvious to a person of ordinary skill in the art at the time of the invention to utilize a relay switches 70 and 72 connecting in parallel to a data wire for inputting and outputting to destination computer taught by Kelly in Stoddard et al's and Metlitsky et al's computer system because a standard port on the destination computer which is most easily recognize and understood by computer users and which generally require a simple, identifiable and inexpensive cable (col. 4, lines 52-57 of Kelly).

In response to applicant's argument that claim 11 recites "turns-on the relay switch at a predetermined time thereafter to input the display data channel into the monitor." Examiner disagrees with that situation because Kelly teaches such recitation the program controls the processor to activate message being displayed on a CRT, LCD (a display data channel as claimed, col. 9, lines 20-23). Therefore, It is clear to provide isolation of any transient voltage to the switches 70 and 72 to input the display data channel.

Claims 2, 6, 13 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bunte et al in view of Keiji.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Keiji teaches an input device possessing the functions of both mouse and image scanner (col. 1, lines 41-43), and further comprises a switch to select one of the mouse and the scanner (col. 4, lines 22-28). Since Bunte et al teach other types of user interfacing might also be implement if so desired (col. 24, lines 61-62). Therefore, It would have been obvious to a person of ordinary skill in the art at the time of the invention to utilize the function of both mouse and image scanner taught by Keiji in Bunte et al's computer system because this would provide capable of feeding information in plural manners, at least two or more functions can be arbitrarily selected, so that the input device can be utilize very advantageously (col. 1, lines 35-35 and col. 2, lines 6-8 of Keiji).

Claims 4 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bunte et al in view of Cruiskshank et al.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by

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combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, since Cruickshank et al teach input device 35 might be used with various host computer or be used with various operator interface devices (col. 3, lines 4-7). Bunte et al teach other types of user interfacing might also be implement if so desired (col. 24, lines 61-62). Therefore, It would have been obvious to a person of ordinary skill in the art at the time of the invention to utilize the PCL 37 and various interface device taught by Cruickshank et al in Bunte et al's computer system because PCL would be programmably reconfigured to one of several different hardware counter configurations (col. 1, line 67 through col. 2, line 2 of Cruickshank et al).

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., dealing with testing a monitor using the display data channel, page 14, line 1) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claims 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bunte et al in view of Cruickshank et al as applied to claims 15 and 12 above, and further in view of Kelly.

Kelly teaches a relay switches 70 and 72 connecting in parallel to a data wire for inputting and outputting to destination computer (see figure 7A and 7B); the input interface 26 may be a universal synchronous/ asynchronous receiver/transmitter (col. 17, lines 32-34); the input device 22 signals representing well known communication control characters to control data flow and to verify data accuracy (col. 17, lines 55-60); the program controls the processor to activate message being displayed on a CRT, LCD (a display data channel as claimed, col. 9, lines 20-23). Therefore, It would have been obvious to a person of ordinary skill in the art at the time of the invention to utilize a relay switches 70 and 72 connecting in parallel to a data wire for inputting and outputting to destination computer taught by Kelly in Bunte et al's computer system because a standard port on the destination computer which is most easily recognize and understood by computer users and which generally require a simple, identifiable and inexpensive cable (col. 4, lines 52-57 of Kelly).

In response to applicant's argument that claim 16 recites "turns-on the relay switch of said driving device to input the display data channel into the monitor." Examiner disagrees with that situation because Kelly teaches such recitation the program controls the processor to activate message being displayed on a CRT, LCD (a display data channel as claimed, col. 9, lines 20-23). Therefore, It is clear to provide isolation of any transient voltage to the switches 70 and 72 to input the display data channel.

Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bunte et al in view of Kelly.

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In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Kelly teaches a relay switches 70 and 72 connecting in parallel to a data wire for inputting and outputting to destination computer (see figure 7A and 7B); the input interface 26 may be a universal synchronous/ asynchronous receiver/transmitter (col. 17, lines 32-34); the input device 22 signals representing well known communication control characters to control data flow and to verify data accuracy (col. 17, lines 55-60); the program controls the processor to activate message being displayed on a CRT, LCD (a display data channel as claimed, col. 9, lines 20-23). Since Bunte et al teach other types of user interfacing might also be implement if so desired (col. 24, lines 61-62). Therefore, It would have been obvious to a person of ordinary skill in the art at the time of the invention to utilize a relay switches 70 and 72 connecting in parallel to a data wire for inputting and outputting to destination computer taught by Kelly in Bunte et al's computer system because a standard port on the destination computer which is most easily recognize and understood by computer users and which generally require a simple, identifiable and inexpensive cable (col. 4, lines 52-57 of Kelly).

In response to applicant's argument that claim 11 recites "turns-on the relay switch at a predetermined time thereafter to input the display data channel into the monitor." Examiner disagrees with that situation because Kelly teaches such recitation the program controls the processor to activate message being displayed on a CRT, LCD (a display data channel as claimed, col. 9, lines 20-23). Therefore, It is clear to provide isolation of any transient voltage to the switches 70 and 72 to input the display data channel.

For the above reasons, it is believed that the rejections should be sustained.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Kevin M. Nguyen** whose telephone number is **703-305-**

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6209. The examiner can normally be reached on MON-FRI from 9:00-6:00 with Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard A Hjerpe** can be reached on **703-305-4709**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Kevin M. Nguyen
Examiner
Art Unit 2674



RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600